

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FIRST ACT INC.) 2004 JAN 14 A 10:40
Plaintiff) U.S. DISTRICT COURT
v.) DISTRICT OF MASS
KIDZ TOYZ, INC. and) Civil Action No. 03-12507-EFH
CHRISTMAS TREE SHOPS, INC.)
Defendants)

**SECOND STIPULATION TO ENLARGE PERIOD FOR DEFENDANT
KIDZ TOYZ, INC. TO OPPOSE MOTION FOR PRELIMINARY
INJUNCTION AND TO ANSWER COMPLAINT**

Plaintiff, First Act Inc., and defendant Kidz Toyz, Inc. (the "Stipulating Parties") hereby stipulate to enlarge the period for defendant Kidz Toyz, Inc. to oppose the Motion for Preliminary Injunction and to answer the Complaint (served on or about December 17, 2003), through and including **Friday, January 30, 2004**.

In support of this Stipulation, the Stipulating Parties state that they are attempting to negotiate a resolution to this dispute. Unfortunately, defendant's principal has been traveling in the Far East, which has made communication difficult. The Stipulating Parties respectfully request the Court's approval of this Stipulation.

FIRST ACT INC.

By its attorneys,

Joel L Leeman (JCK)

Joel R. Leeman (BBO # 292070)
Erik Paul Belt (BBO# 558620)
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
Telephone: (617) 443-9292

KIDZ TOYZ, INC.

By its attorneys,

Jason C. Kravitz

Jason C. Kravitz (BBO # 565904)
Nicholas G. Papastavros (BBO # 635742)
Nixon Peabody LLP
101 Federal Street
Boston, MA 02110
Telephone: (617) 345-1318

Dated: January 14, 2004

Having reviewed the above Stipulation, IT IS SO ORDERED.

DATED: _____

Harrington, J.
United States District Judge



NIXON PEABODY LLP
ATTORNEYS AT LAW
U.S. DISTRICT COURT
DISTRICT OF MASS

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January 14, 2004

BY HAND

Civil Clerk
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
Fan Pier
1 Courthouse Way
Boston, MA 02210

RE: First Act Inc. v. Kidz Toyz, Inc. and Christmas Tree Shops, Inc.
C.A. No. 03-12507-EFH

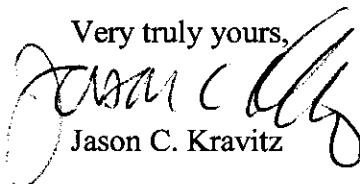
Dear Sir/Madam:

Enclosed for filing in connection with the above-entitled matter is Second Stipulation to Enlarge Period for Defendant Kidz Toyz, Inc. to Oppose Motion for Preliminary Injunction and to Answer Complaint.

Please date-stamp the enclosed duplicate copy of this letter and return same to the messenger.

Thank you for your attention and assistance.

Very truly yours,



Jason C. Kravitz

JCK/adb

Enclosure

cc: Joel R. Leeman, Esquire
Christmas Tree Shops

BOS1344512.1